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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/131,637	08/10/98	TAMMARO	N FMC-0954-PUS
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LMC1/0727

BROOKS & KUSHMAN  
1000 TOWN CENTER  
TWENTY-SECOND FLOOR  
SOUTHFIELD MI 48075-1351

EXAMINER

HESS, R

ART UNIT

PAPER NUMBER

2764

DATE MAILED:

07/27/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No.

09/131,637

Applicant(s)

TAMMARO, NANCY A.

Examiner

Richard W. Hess

Art Unit

2764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 7-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 1998 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

### Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 5 and 6 were canceled from the original application by the amendment dated January 18, 2000.
2. Claims 1 and 8 were amended to include the limitations of Claims 5 and 6. Amended Claims 1 and 8 and Claims 2–4, 7 and 9–12 have been examined.

### ***Drawings***

3. The drawings are objected to because of the minor informalities cited on the form PTO 948 included with the previous Office Action. Correction is required.
4. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.
5. The text of those sections of Title 35, U.S. Code not included in this action can be found in prior Office actions.

### ***Claim Rejections - 35 USC § 103***

6. Claims 1–3, 7–10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeFrancesco et al (US Patent No. 5,878,403).

As stated above, Claim 1 was amended to include the limitations of Claims 5 and 6 of the original application. Therefore, the rejections of Claims 5 and 6 in the Office Action mailed September 15, 1999 apply to the rejection of Claim 1 in this Office Action. From the previous Office Action, DeFrancesco et al shows a method of:

- Processing a car loan application via the Internet. (column 18 line 2)

Art Unit: 2764

- Receiving a loan application request via the Internet. (column 8 line 64)
- Including a loan form that designates the service provider. (column 10 line 13)
- Receiving a completed form. (column 10 line 23)
- Determining if service provider is a participant. (column 10 line 8)
- Transmitting via the Internet a completed form to the service provider if it is a system participant and faxing it if the service provider is not. (column 11 line 53)

DeFrancesco et al fails to teach the feature of the form to include vehicle licensing information. Official notice is taken that the feature of the form to include vehicle licensing information is an old and well known type of function in the car loan art. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include this information because the use of this information would reduce the time and expense of processing a new vehicle sale or lease. DeFrancesco et al also fail to teach the feature of transmitting the form that includes vehicle licensing information to the service provider. Official notice is taken that the feature of transmitting the form that includes vehicle licensing information to the service provider is an old and well known type of function in the car loan art. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to transmit this information so the loan application may be processed quickly.

Since Claims 2, 3, and 7 were unchanged from the previous Office Action mailed September 15, 1999; the same rejections put forth in that Office Action apply.

Claim 8 was amended to include the limitations of Claims 5 and 6 of the original application. Therefore, the rejections of Claims 8, 5 and 6 in the Office Action mailed

September 15, 1999 apply to the rejection of Claim 8 in this Office Action. From the previous Office Action, DeFrancesco shows a system comprising:

- An Internet capable PC. (column 9 line 32 and column 7 line 24)
- A server linked via the Internet to the dealership's PC, which handles a plurality of service providers. (column 4 line 64 and column 24 lines 20-22)
- A server with a processor connected to a fax. (column 10 line 61)
- A server with a processor which determines if the service provider is a system participant, and transmits via the Internet the completed application form if the service provider is a system participant and if not faxing the information to the pre-selected service provider. (column 10 line 61 - column 11 line 13)
- DeFrancesco et al. does not explicitly show a server with a processor connected to a database. This, however, is deemed to be inherent to the DeFrancesco et al. system as the dealership "initially sets up all of the funding sources." (Column 10 line 35)  
This information is used for storing, retrieving and sorting in the same way a database operates.
- DeFrancesco et al. does not explicitly show a server with a processor that generates the form as a web page in response to a request via the Internet from a user at the dealership. This, however, is deemed to be inherent to the DeFrancesco et al. system as line 27 of column 9 and line 24 of column 7 show an Internet based system for producing a loan application form upon user request.
- DeFrancesco et al. does not explicitly show a server with a processor that generates the form having a field for the service providers. This, however, is deemed to be

Art Unit: 2764

inherent to the DeFrancesco et al. system, as the user must designate a service provider else no car loan could be made.

DeFrancesco et al fails to teach the feature of an input information field for entering vehicle licensing information. Official notice is taken that an input information field for entering vehicle licensing information is an old and well known type of function in the car loan art. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include this information because the use of this information would reduce the time and expense of processing a new vehicle sale or lease.

DeFrancesco et al also fail to teach the feature of transmitting the form that includes vehicle licensing information to the service provider. Official notice is taken that the feature of transmitting the form that includes vehicle licensing information to the service provider is an old and well known type of function in the car loan art. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to transmit this information so the loan application may be processed quickly.

Since Claims 9, 10, and 12 were unchanged from the previous Office Action mailed September 15, 1999; the same rejections put forth in that Office Action apply.

7. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeFrancesco et al as applied to claims 1 and 8 above, and further in view of VanderDrift (US Patent No. 5,455,945).

Since Claims 4 and 11 were unchanged from the previous Office Action mailed September 15, 1999; the same rejections put forth in that Office Action apply.

***Response to Arguments***

8. Applicant's arguments filed January 18, 2000 have been fully considered but they are not persuasive.

Applicant takes issue with the Official Notice taken in the rejections of Claims 5 and 6 of the original application whose limitations are now included in amended Claims 1 and 8 rejected above. The applicant points out that the licensing information referred to in the claim invention is information used to obtain a license for the vehicle. The applicant goes on to request evidence to backup the Official Notice that shows an electronic loan/credit system that also collects vehicle licensing information. The examiner would like to point out that Bennett et al (US Patent No. 6,092,121) discloses a system for capturing information for the purpose of facilitating the sale of automobiles (column 3, lines 28–34). Bennett et al also explicitly discloses capturing and transmitting licensing information associated with the vehicle being purchased or leased for the appropriate licensing agency or service provider as stated by the applicant (Figure 1, "DMV LINK", #22, and column 3, lines 34–39). John T. Mulqueen also explicitly states that dealer data is transmitted to the DMV main frame (page 1, paragraph 6) in his article titled "Users Test Real-Time Car Registration," published in the May 17, 1993 issue of CommunicationsWeek. The article "Pennsylvania" Web Site Breaks One Million Hit Mark," published September 13, 1996, mentions that motor vehicle registration forms are available on the web site (page 1, paragraph 5). The article "Sprint Offers Universities Instant Access To The Net," also mentions online vehicle registration (page 2, paragraph 7, lines 3–4). And finally, the article "Malaysia:

Art Unit: 2764

Comm. Opps. /Multimedia Super Corridor Market (2), U.S. and Foreign Commercial Services (US&FCS)," discusses e-commerce applications that includes electronic payment and delivery systems for driver and vehicle registration and licensing (page 6, lines 14–16).

Based upon the numerous references cited above in support of the Official Notice taken in the rejection of Claims 1 and 8 above and in the rejections of Claims 5 and 6 in the previous Office Action, the examiner maintains the rejections as applied in the Office action mailed September 15, 1999 because the applicant's amendments do not avoid the rejections cited in the previous Office Action and the applicant's arguments filed January 18, 2000 are not persuasive.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of



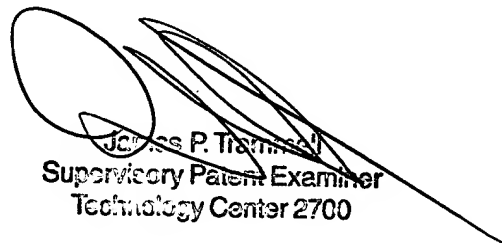
Art Unit: 2764


the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard W. Hess whose telephone number is (703) 308-6287. The examiner can normally be reached on M-F (7:00-4:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (703) 305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-9051 for regular communications and (703) 308-5357 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
James P. Trammell  
Supervisory Patent Examiner  
Technology Center 2700

  
Richard W. Hess  
July 26, 2000